

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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CELLCO PARTNERSHIP, et al  
Plaintiff

v.

THE TOWN OF BROOKLINE, TOWN OF  
BROOKLINE BOARD OF APPEALS and  
DIANE R. GORDON, BAILEY S. SILBERT,  
and ENID M. STARR, in their capacity as  
members of the Town of Brookline  
Board of Appeals ,  
Defendants.

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Civil Action No.  
05-10655-REK

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THE DEFENDANTS' CERTIFICATION PURSUANT TO LOCAL RULE 16.1 (D)(3)

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The undersigned hereby certify that they have conferred with respect to the above matter (1) with a view to establishing a budget for the costs of conducting the full course and various alternative courses of the litigation; and (2) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

By: /s/ Richard J. Kelliher  
Richard J. Kelliher, Town Administrator  
Town of Brookline  
Brookline, MA 02445  
(617) 730-2200

By: /s/ Joslin H. Murphy  
Joslin H. Murphy  
333 Washington Street  
Brookline, MA 02446  
(617) 730-2190

Dated: February 14, 2006

Certificate of Service

I, Joslin Murphy, hereby certify that on this 16<sup>th</sup> day of February 2006, I caused a true copy of the foregoing LR 16.1(D)(3) Certification to be served upon the plaintiff by first class mail, postage prepaid, to its attorney of record.

/s/ Joslin Murphy

Joslin Murphy

Dated: February 16, 2006